

The article was labeled in part: (Bottle label) "Radumac \* \* \* Penetrates and Prevents Germs. Has Proven Highly Beneficial and Given Prompt Relief in Rheumatism, Neuritis, Neuralgia, Tonsillitis, Sore Throat, Stomach Diseases, Bowel Complaints, Piles and Hemorrhoids, \* \* \* Open Sores and Ulcers;" (circular) "Radiumac \* \* \* Remineralization for perfect health (to have that 'Peppy Go-Getter' feeling) it is \* \* \* if you feel tired, run-down, no energy, can't sleep, poor appetite and bad digestion, your mineral balance is probably not right. Radiumac, taken as directed, will assist in restoring the body minerals. \* \* \* Radiumac Has Been Found Useful in Run Down Conditions, \* \* \* Eczema \* \* \* Bleeding \* \* \* Blood \* \* \* Boils, Carbuncles, \* \* \* Chilblains, \* \* \* Convalescence \* \* \* Hypopepsia (Indigestion) \* \* \* Ingrowing Toenails, \* \* \* Leucorrhoea, Whites, Vaginal Discharge \* \* \* Malnutrition \* \* \* Mucous Colitis (Catarrh of the Colon—Inflammation of the Colon) \* \* \* Nervousness \* \* \* Piles \* \* \* Trench Mouth, Sore Gums or Loose Teeth, and Toothache \* \* \* Tonsillitis \* \* \* Worms."

It was alleged in the libel that the article was misbranded in that the above-quoted statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since the article, when used as directed, would not be an effective remedy in the treatment of the ailments set forth above from the said bottle label and circular.

On October 30, 1930, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17863. Misbranding of Garrett's Constitutional Virginia Dare wine tonic. U. S. v. 85 Cases of Garrett's Constitutional Virginia Dare Wine Tonic. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 25498, 25499. I. S. Nos. 9315, 9317. S. Nos. 3728, 3729.)**

Examination of samples of a product, labeled as Garrett's Constitutional Virginia Dare wine tonic, from the herein-described interstate shipments having shown that the labels bore claims of curative and therapeutic properties for the article that it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Columbia.

On December 17, 1930, the United States attorney filed in the United States District Court libels praying seizure and condemnation of 113 cases of the said Garrett's Constitutional Virginia Dare wine tonic, remaining in the original unbroken packages at Washington, D. C., alleging that the article had been shipped by the Fruit Industries (Ltd.), from New York, N. Y., in various consignments on or about October 25, October 28, and November 17, 1930, respectively, and had been transported from the State of New York into the District of Columbia, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the red variety consisted essentially of alcohol (22.58 per cent), sodium glycerophosphate (1.2 per cent), nitrogenous matter, a bitter principle, reducing sugar, and water; and the white variety consisted essentially of alcohol (22.32 per cent), sodium glycerophosphate (0.9 per cent), nitrogenous matter, a bitter principle, reducing sugar, and water.

It was alleged in the libels that the article was misbranded in that the following statements regarding its curative or therapeutic effects, appearing on the carton and bottle labels, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Constitutional \* \* \* Tonic, \* \* \* of great Tonic Value in itself. \* \* \* Especially recommended in cases of Anemia (pernicious or mild), as it contains the best known relief for such cases, and to convalescents as an aid in \* \* \* building up run-down systems. \* \* \* Blood Building Preparation Agrees With the Constitution, \* \* \* Strength, Health, Vitality, \* \* \* For building up run-down systems;" (bottle) "Constitutional \* \* \* Tonic, \* \* \* of great Tonic value in itself. \* \* \* Especially recommended in case of Anemia, \* \* \* as it contains the best known relief for such cases, and to convalescents as an aid in building up run-down systems. \* \* \* Health Products, \* \* \* Strength, Health, Vitality."

On January 3, 1931, the Fruit Industries (Ltd.), New York, N. Y., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$2,260, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17864. Misbranding of Chloro-Zol. U. S. v. 13 Dozen Small-Sized Packages, et al., of Chloro-Zol. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24855. I. S. No. 023768. S. No. 3180.)**

Examination of samples of a product, known as Chloro-Zol, from the herein-described interstate shipment having shown that its labels bore claims of therapeutic and curative properties for the article that it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On June 30, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 13 dozen small-sized packages and 13 large-sized packages of Chloro-Zol, remaining in the original unbroken packages at Denver, Colo., consigned by the American Drug & Chemical Co., Minneapolis, Minn., alleging that the article had been shipped from Minneapolis, Minn., on or about May 6, 1930, and transported from the State of Minnesota into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained chloramine.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Box label) "Open Sores \* \* \* Sore Throat;" (carton) "Open Sores \* \* \* Sore Throat \* \* \* Acne, etc.;" (circular) "Pyorrhea—Trench Mouth \* \* \* Sore Throat \* \* \* Acne (Pimples) Boils, Etc. \* \* \* Sores \* \* \* It is recommended in the treatment of Leucorrhoea, Vaginitis, Catarrhal Inflammations and Mucopurulent Discharges of the Vagina."

On December 4, 1930, the Buerger Bros. Supply Co., Denver, Colo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17865. Misbranding of Tettremidy. U. S. v. 6½ Dozen Bottles of Tettremidy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25448. I. S. No. 8723. S. No. 3655.)**

Examination of samples of a drug product, known as Tettremidy, from the herein-described interstate shipment having shown that the labels bore claims of therapeutic and curative properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On or about December 9, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of six and one-half dozen bottles of Tettremidy, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Eucaline Medicine Co., Dallas, Tex., on or about August 13, 1930, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetic acid, glycerin, and water, colored with a pink dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effects, borne on the carton and bottle labels, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Tettremidy \* \* \* is guaranteed by the manufacturer \* \* \* in the treatment of any skin disease or trouble. \* \* \* It is a